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EXPEDITED CONSIDERATION REQUESTED

September 14, 2011

Via E-Filing

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

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Office of Proceedings

SEP 14 2011

Part of
Public Record

**Re: *Canexus Chemicals Canada L.P. v. BNSF Railway Company*, STB
Docket No. FD 35524**


Dear Ms. Brown:

By Decision served June 21, 2011 in this proceeding, the Board commenced a Board-sponsored mediation in this proceeding and suspended additional formal action pending a further Board order. On August 24, 2011, the mediators appointed by the Board for this case hosted a mediation session in the Board's offices between Canexus Chemicals Canada L.P., BNSF Railway Company, and the Union Pacific Railroad. Unfortunately, the attempt to mediate this dispute has been unsuccessful. Canexus accordingly asks the Board to re-start its formal consideration of Canexus Request for Establishment of Common Carrier Rates and to issue a decision before September 29, 2011. The common carrier rates BNSF established for transportation from Canexus' facility in North Vancouver and from Marshall, Washington to Kansas City for interchange with UP are due to expire on September 30, 2011. Consequently, absent further extension of the rates voluntarily by BNSF or by order of the STB, the relief Canexus sought when filing its Request, namely to require BNSF to establish common carrier rates so this traffic can continue to move – is urgently needed.

Ms. Cynthia T. Brown
Office of Proceedings
Surface Transportation Board
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Please do not hesitate to contact the undersigned if you have any questions.

Regards,

A handwritten signature in black ink that reads "Thomas W. Wilcox". The signature is written in a cursive, flowing style.

Thomas W. Wilcox

Attorney for Canexus Chemicals Canada L.P.

cc: Counsel for BNSF Railway
Counsel for UP